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*Attorneys for Defendant Wendy's International,
Inc.*

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ADAM JERNOW and LEAH McLAWRENCE,
on behalf of themselves and all others similarly
situated,

Plaintiffs,

-against -

WENDY'S INTERNATIONAL, INC.,

Defendant.

Case No. 07-Civ-3971 (LTS) (THK)

Hon. Laura Taylor Swain

**DECLARATION OF TROY D.
CAHILL REGARDING
EXHIBITS TO DEFENDANT'S
OPPOSITION TO
PLAINTIFFS' MOTION FOR
CLASS CERTIFICATION**

**FILED UNDER SEAL
PURSUANT TO JANUARY 23,
2008 PROTECTIVE ORDER**

I, Troy D. Cahill, hereby declare as follows:

1. I am an attorney at Akin Gump Strauss Hauer & Feld, LLP, counsel to
Defendant in the above-captioned case.

2. The following are true and correct copies of the exhibits to Defendant's Opposition to Plaintiffs' Motion for Class Certification:

- Exhibit 1: Declaration of Keith R. Ugone, Ph.D. (*Portions Designated Confidential*).
- Exhibit 2: United States Department of Agriculture, *Questions and Answers about Trans Fat Nutrition Labeling* (updated Jan. 1, 2006), available at <http://www.cfsan.fda.gov/~dms/qatrans2.html>.
- Exhibit 3: Wendy's Press Release, *Wendy's Significantly Cuts Trans Fats – Switch to New Cooking Oil Under Way* (June 8, 2006), (WEN-011304-06).
- Exhibit 4: Wendy's Press Release, *Wendy's Achieves QSR Milestone: Completes Move to New Cooking Oil with Zero Grams Trans Fat* (Aug. 24, 2006), (WEN-026675-76).
- Exhibit 5: April 2006 Covance Report of Analysis, (WEN-011982) (*Confidential*).
- Exhibit 6: April 2006 Cargill Analysis, (WEN-014210-11) (*Confidential*).
- Exhibit 7: Excerpts from the Deposition Transcript of Casey Minton, April 22, 2008 (*Portions Designated Confidential*).
- Exhibit 8: Consumer Reports, *CR Tests find trans fat in Wendy's fries*, (Nov. 2006), (Wendy's Trans-Fat-0019).
- Exhibit 9: Excerpts from the Deposition Transcript of Adam Jernow, May 7, 2008.
- Exhibit 10: Excerpts from the Deposition Transcript of Leah McLawrence, May 8, 2006.

3. I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed on June 19, 2008, at Washington, D.C.

/s/

Troy D. Cahill

CERTIFICATE OF SERVICE

I hereby certify that I caused a true and correct copy of the foregoing **Declaration of Troy D. Cahill Regarding Exhibits to Defendant's Opposition to Plaintiffs' Motion for Class Certification** and accompanying exhibits to be served this 19th day of June, 2008, by ECF notification and e-mail to the following persons:

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/s/ _____
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